

WILL SHAFROTH

FOR CONGRESS

March 11, 2008

*Via Certified Mail,
Return Receipt Requested*

Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

MUR #

5981

SENSITIVE

RE: Complaint against Jared Polis and the Friends of Jared Polis Committee
(C00435370), PO Box 4572, Boulder, CO 80306

To whom it may concern:

A review of the disclosure reports filed with Federal Election Commission by Jared Polis and his campaign, the Friends of Jared Polis Committee, show the following violations of the Federal Election Campaign Act and the rules promulgated thereunder by this Commission. The information is known to me through an analysis of his Campaign Finance reports, which are attached to this complaint:

- **Polis' campaign's October 2007 Quarterly Report (FEC-307344) shows that Polis' campaign took in \$49,000 from 42 people for whom Polis' campaign failed to disclose employer or occupation information as required by law.** Campaigns are required to disclose the employer and occupation of each person who donates more than \$200 to the campaign. Originally, Polis' October 2007 Quarterly Report showed that his campaign accepted more than \$80,000 from 50 people without disclosing their employer and occupation. He amended his campaign's report, but the amended report still has \$49,000 in donations from 42 people for which Polis hasn't disclosed their employer and occupation. Campaigns use their best efforts to obtain employer and occupation information from their donors and can, on occasion, fail to disclose an individual donor's employer or occupation. But the 42 donors for which Polis failed to disclose employer and occupation information represents 15% of all the donors making contributions to his campaign. The individual donations at issue range in size from \$250 to \$2,600, but taken together, represent 13% of all donations to his campaign for that quarter.
- **Polis' campaign's 2007 Year-End Report (FEC-315579) shows he gave \$80,000 of in-kind donations, but the reports don't provide the necessary details about how the money was actually spent.** The Year-End Report shows Polis made more than \$80,000 of in-kind contributions to his campaign, with the campaign then listing an identical disbursement back to Polis. A large portion (but not all) of the expenditures went to pay for Polis' trip to Iraq. According to his campaign's report, Polis appears to have personally paid for his trip, disclosing the money he paid to unidentified vendors for airfare, lodging, etc. as in-kind contributions to his campaign. Polis then reported the payments as in-kind receipts to his campaign. The problem with this arrangement is that Polis' report doesn't disclose who actually received the money from his campaign. One shouldn't be able to do an end-run around the disclosure requirements by making in-kind contributions with follow-up disbursements from the campaign.

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- **Polis' campaign's October 2007 Quarterly Report (FEC-307344) and his 2007 Year-End Report (FEC-319579) show Polis making in-kind contributions of "labor costs" valued at \$11,000 and \$10,000, respectively, with the campaign then making "reimbursements" to Polis for identical amounts. These disclosures raise more questions than they answer. Did Polis provide \$21,000 of "labor" to his campaign and then get reimbursed for it? Or did Polis pay someone else to provide "labor" to his campaign and then get his campaign to reimburse him for it? What "labor" was provided? And if Polis hired someone else to provide "labor" for his campaign instead of billing for his own "labor", then whom did he hire? Why not just have the campaign hire them in the first place? He is also using a description—"labor costs"—that makes it impossible to determine the purpose for which the money was spent.**

He may not have actually reimbursed himself for any of the "in-kind contributions" discussed above; the "reimbursements" may have been a reporting maneuver to allow his contribution and expenditure reports to be in balance. If that is case, it appears that Polis is spending money on his campaign and calling it an in-kind contribution to avoid disclosing how his campaign is spending its money. There is no reason—other than trying avoid the disclosure requirements—that Polis couldn't donate cash to his campaign and then have the campaign pay for the goods or services that Polis is bankrolling for his campaign. Even with in-kind contributions, Polis and his campaign are required to disclose who is being paid for the goods or services being provided.

I believe the matters discussed above violate federal campaign finance laws and regulations. I trust that this commission will investigate these matters thoroughly and take appropriate action.

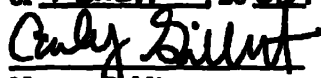
Thank you for your attention to these matters. Please don't hesitate to contact me if you require additional information.

Sincerely,



Will Shafroth

Sworn to and subscribed
before me this 10 day
of March, 20 08.


Notary Public

My Commission expires on 07/03/2010

